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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**

7 KENNETH PALMER,

8 Petitioner

9 v.

10 NEVADA, STATE OF, et al.,

11 Respondents

Case No.: 3:17-cv-00644-HDM-WGC

**ORDER**

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13 On February 6, 2019, this court granted respondents' motion to dismiss certain grounds  
14 in Kenneth Palmer's pro se 28 U.S.C. § 2254 petition for a writ of habeas corpus (ECF No. 19).  
15 The court concluded that Palmer had not exhausted all of his grounds in state court and directed  
16 Palmer to file a declaration within 30 days indicating how he wished to proceed with respect to  
17 his unexhausted grounds. That order was served on petitioner at his address of record. On  
18 March 5, 2019, that order was returned by the U.S. Postal Service as undeliverable (ECF No.  
19 20).

20 Pursuant to Local Rule IA 3-1, a pro se litigant is required to keep the court apprised of  
21 his or her current address at all times. The rule states: "An attorney or pro se party must  
22 immediately file with the court written notification of any change of mailing address . . . . The  
23 notification must include proof of service upon each opposing party or the party's attorney.

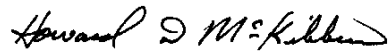
1 Failure to comply with this rule may result in dismissal of the action. . . .” The court notes that  
2 the Nevada Department of Corrections website reflects that Palmer has been paroled. In any  
3 event, as petitioner has failed to file written notification of change of address with the court, this  
4 petition is dismissed with prejudice for failure to update address.

5 **IT IS THEREFORE ORDERED** that this petition is **DISMISSED** as set forth in this  
6 order.

7 **IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

8 **IT IS FURTHER ORDERED** that the Clerk shall enter judgment accordingly and close  
9 this case.

10 Dated: April 11, 2019.

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13 Howard D. McKibben  
14 United States District Judge  
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